



Keith M. Lundin  
U.S. Bankruptcy Judge

Dated: 4/28/2016



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:  
Joseph & Rita Matlock } Case No. 3:15-bk-07353  
905 Applevalley Rd }  
Madison, TN, 37115 } Chapter: 13  
} Judge Keith Lundin  
} Debtor.

**AGREED ORDER MOTION TO UTILIZE INSURANCE PROCEEDS**

This matter came before the United States Bankruptcy Court for the Middle District of Tennessee, the Honorable Judge Keith Lundin presiding on the Expedited Motion to Utilize Insurance Proceeds filed by the Debtor. As evidenced by the signatures of both counsel herein below, it is agreed and ORDERED as follows:

1. The Debtor shall be authorized to utilize cash collateral received from Direct Insurance in the approximate amount of \$11,040.29 less the Chapter 13 Trustee's Fee.
2. Debtor shall be allowed to use the balance of said proceeds in the approximate amount of \$10,488.28 to pay toward the secured claim balance of Insolve Auto Funding currently in the amount of \$12,096.61 (as of 4/2016).
3. The remaining balance owed to Insolve Auto Funding of approximately \$1,608.33 shall be paid, as modified, over the remaining life of the plan.
4. Insolve Auto Funding shall release its lien on the destroyed vehicle and remit title to Direct Insurance Company in order to allow disposition of the salvage value in the destroyed vehicle.
5. Direct Insurance Company would be required to issue proceeds to the Chapter 13 Trustee, PO Box 340019, Nashville, TN 37203.
6. Debtors' plan shall be modified to adjust the remaining claim of Insolve Auto Funding of \$1608.33 after the allocation of insurance proceeds have been paid with reduced monthly payments in the amount of \$46.18 at 22% per month over the remaining life of the plan.

7. The monthly attorney fee shall be reduced to \$200.00.
8. The Debtors shall be allowed to incur debt from Inland/Insolve Bank in the maximum amount of \$12,672.00 at 22% and payments not to exceed approximately \$350.00 per month in order to purchase a replacement vehicle.

IT IS THEREFORE ORDERED that the Debtors expedited motion to utilize insurance proceeds and incur debt is hereby granted.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF  
THE FIRST PAGE.**

APPROVED FOR ENTRY:

/s/ Jonathan Augusta  
D. Jonathan Augusta, BPR #25880  
Attorney for Debtor  
731 Porter Rd  
Nashville, TN 37206  
(615) 600-4577  
derricaugusta@comcast.net

/s/ Henry E.  
Hildebrand, III

HENRY E. HILDEBRAND, III  
CHAPTER 13 TRUSTEE  
P O BOX 340019  
NASHVILLE, TN 37203-0019  
615-244-1101  
[pleadings@ch13nsh.com](mailto:pleadings@ch13nsh.com)

Digitally signed by /s/ Henry E. Hildebrand, III  
DN: cn=/s/ Henry E. Hildebrand, III, c=US, o=chapter  
13 trustee, ou=finance(51),  
email=pleadings@ch13nsh.com  
Date: 2016.04.27 07:24:30 -05'00'

## **CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2016, I furnished a true and correct copy of the foregoing to the following parties in interest:

Henry E. Hildebrand, III  
Chapter 13 Trustee  
P.O. Box 340019  
Nashville, TN 37203

InSolve Auto Funding, LLC , c/o Capital Recovery G      U.S. Mail first Class  
PO Box 64090      Email: servicing@insolveautofunding.com  
Tucson, AZ 85728-4090

Direct Insurance  
Attn: Pamela Armstrong  
1320 Greenway Dr. Ste 200  
Irving, TX 75038

U.S. Mail first Class  
Fax: 225-614-9890  
Claim: 16-01998053

/s/ Jonathan Augusta  
D. Jonathan Augusta

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.  
United States Bankruptcy Court.